

REMARKS

This paper is presented in response to the official action dated January 22, 2009, wherein (a) claims 1-14 were pending, (b) claims 1-5, and 8-14 were rejected as anticipated by U.S. 2005/0102203 A1 to Keong ("Keong"), and (c) claims 6 and 7 were as obvious over Keong in view of U.S. 2003/0144922 A1 to Schranz ("Schranz").

The applicants respectfully request reconsideration and withdrawal of the rejections in view of the foregoing amendments and following remarks.

By this amendment, claims 1, 4, 7, and 12 are amended and claims 3, 5, and 6 are canceled. Support for the amendments to claims 1, 4, 7, and 12 may be found in the specification and claims as originally filed. In particular, support may be found at least in original claims 3, 5, and 6 and in paragraphs [0014] and [0021] as originally filed. No new matter is added.

Claims 1, 2, 4, and 7-14 are pending and at issue.

This paper is timely filed as it is accompanied by a petition for a one month extension of time and the required fee.

35 U.S.C. § 102 Rejections

The applicants respectfully submit that the rejection of claims 1-5 and 8-14 is moot in view of the amendments to claims 1 and 12 above. In particular, the subject matter of previous claim 6 (which was not rejected under 35 U.S.C. § 102 as anticipated by Keong) is incorporated into independent claims 1 and 12. Thus, claims 1 and 12, and any claim depending from either claim 1 or 12, cannot be anticipated by Keong. The applicants respectfully request withdrawal of the rejection of claims 1-5 and 8-14.

35 U.S.C. § 103 Rejections

The rejection of claim 6 as obvious over Keong in view of Schrantz is moot in view of the cancellation of claim 6. The applicants respectfully traverse the rejection

of claim 7 as obvious over Keong in view of Schrantz. Claim 7 now recites a method of producing a postal item comprising, in part, storing order data in a transaction computer that controls an automated auction and transmitting order data to a material flow computer that controls material flow so that goods are placed into picking containers or directly into a transport container. Keong and Schrantz fail to disclose or suggest either 1) storing order data in a transaction computer that controls an automatic auction, or 2) a material flow computer that controls material flow so that goods are placed into picking containers or directly into a transport container.

As conceded in the official action, Keong fails to disclose or suggest an automatic auction of any sort. See the official action at page 5. Rather, the official action alleges that Schrantz discloses such an automatic auction. *Id.* However, Schrantz only discloses that automatic auctions may be conducted online in a P2P auction model. See Schrantz paragraph [0003]. The online automatic auction systems may calculate shipping costs and taxes. *Id.* However, the Schrantz system is limited to mediating transactions between buyers and sellers to calculate costs and to translate information into different languages. See Schrantz paragraphs [0009]-[0011]. Because Keong and Schrantz fail to disclose or suggest storing order data in a transaction computer that controls an automatic auction, claim 7 cannot be rendered obvious by any combination of Keong and Schrantz.

Moreover, Keong fails to disclose or suggest a material flow computer that controls material flow so that goods are placed into picking containers or directly into a transport container. Rather, Koeng discloses that a collection workman 15 collects the items (e.g., books) from storage. See Koeng paragraph [0101]. Thus, Koeng

fails to disclose or suggest a material flow computer that controls material flow because Koeng discloses that item retrieval is a manual operation.

Schrantz also fails to disclose or suggest a material flow computer that controls material flow. In fact, Schrantz fails to disclose or suggest a warehouse system of any sort. Rather, Schrantz discloses that the seller packages and ships the item. See Schrantz paragraph [0004]. As a result, Schrantz fails to disclose or suggest a warehouse management system or a material flow computer that controls material flow so that goods are placed into picking containers or directly into a transport container, as is recited in claim 7.

Because Keong and Schrantz both fail to disclose or suggest a material flow computer that controls material flow so that goods are placed into picking containers or directly into a transport container, claim 7 cannot be rendered obvious by any combination thereof. The applicants respectfully request withdrawal of the rejection of claim 7.

Applicants respectfully submit that each of claims 1, 2, 4, and 8-14 are also allowable over Koeng and Schrantz for the reasons set forth above.

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Conclusion

In view of the amendments, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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